



IT IS ORDERED

Date Entered on Docket: September 12, 2014

**The Honorable David T. Thuma
United States Bankruptcy Judge**

**THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO**

In Re:

**MARK JUSTIN DAHRLING and
MAURA LYNN DAHRLING,**

Debtors.

No. 13-12327 t7

PHILIP J. MONTOYA, Trustee,

Plaintiff,

v.

Adv. No. 13-01085 t

**JUSTIN C. DAHRLING,
MARK JUSTIN DAHRLING
MAURA LYNN DAHRLING, and
CARTA BLANCHE VENTURES, LLC
a New Mexico limited liability company,**

Defendants.

STIPULATED ORDER AND JUDGMENT

THIS MATTER coming on for consideration on the stipulation of the parties, the Court

FINDING:

1. That this Court has jurisdiction over the parties and the subject matter herein;

2. That Mark and Maura Dahrling sold a house and lot located in Dona Ana County, New Mexico to Justin Darhling on a real estate contract dated December 1, 2011, and recorded in Dona Ana County, New Mexico, on December 6, 2011, which contract (the “Real Estate Contract”) covered the following described real property (“Subject Property”):

Lot 4 in Block R of SONORA SPRINGS PHASE 2, as the same is shown on the plan of said subdivision filed in the Office of the Dona Ana County Clerk on October 24, 2001, in plat book 19, folio 743-745.

3. That on or about January 31, 2012, Mark and Maura Darhling transferred and assigned, for no consideration, the Subject Property, subject to the Real Estate Contract, to Carta Blanche Ventures, LLC., with the assignment being recorded in Dona Ana County, New Mexico, on February 7, 2012, and which transfer was at a time when the assignors were insolvent, or which assignment caused the assignors to become insolvent.

4. That an order has been entered in the underlying chapter seven proceeding approving a compromise of controversy and settlement between the Trustee and the defendants herein, by which, *inter alia*, the parties agree that the transfer of the Subject Property and the assignment of the Real Estate Contract from Mark and Maura Dahrling to Carta Blanche Ventures, LLC, would be avoided, as prayed for in the Complaint herein,

IT IS NOW THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The transfer of the Subject Property and the assignment of the Real Estate Contract from Mark and Maura Dahrling to Carta Blanche Ventures, LLC, recorded in Dona Ana County, New Mexico, on February 7, 2012, is hereby avoided, and said property and Real Estate Contract is hereby re-vested in Mark and Maura Dahrling, subject to the terms of this judgment and the terms

of the Order Approving Compromise of Controversy, entered in the underlying chapter seven proceeding.

B. The complaint herein is dismissed as to Defendants Justin Dahrling, Mark Dahrling, and Maura Dahrling.

C. Plaintiff shall recover his costs herein, which are stipulated to be:

Filing fee:	\$ 293.00
Recording Notice of <i>Lis Pendens</i>	\$ 25.00
Deposition of Mark Dahrling	\$ 237.54
Deposition of Maura Dahrling	\$ 710.91
Service of Subpoena on Cowan, CPA	\$ 42.80
Witness fee for Cowan, CPA	<u>\$ 45.00,</u>
	\$1354.25

and which are included in the Settlement Amount set out in the Order Approving Compromise.

####end of order####

Prepared and submitted by:
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